



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

October 1, 2012

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To: Supervisor Zev Yaroslavsky, Chairman
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From: William T Fujioka
Chief Executive Officer

SACRAMENTO UPDATE

Executive Summary

On Sunday, September 30, 2012, Governor Brown completed action on all of the bills remaining on his desk for signature or veto, which were approved by the Legislature in the closing days of the 2011-12 Legislative Session.

This memorandum contains the following information:

Status of County-Advocacy Legislation

- **County-supported AB 1453 (Monning)** – related to essential health benefits provided under the Federal Affordable Care Act was signed by the Governor on September 30, 2012.
- **County-support-if-amended AB 1585 (Pérez)** – related to administrative costs associated with administering the housing functions of a former redevelopment agency was signed by the Governor on September 29, 2012.
- **County-supported AB 1907 (Lowenthal)** – related to the administration of psychiatric medications for jail inmates was signed by the Governor on September 30, 2012.
- **County-opposed AB 1968 (Wieckowski)** – related to requirements that county chief probation officers develop an arming policy for probation officers

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supervising high-risk probationers was vetoed by the Governor on September 30, 2012.

- **County-supported AB 2026 (Fuentes)** – related to the extension of film tax credits through FY 2016-17 for qualifying motion pictures was signed by the Governor on September 30, 2012.
- **County-supported AB 2109 (Pan)** – related to exemptions from immunization requirements for school-aged children was signed by the Governor on September 30, 2012.
- **County-opposed AB 2298 (Solorio)** – related to liability for auto accidents of public safety personnel was signed by the Governor on September 30, 2012.
- **County-opposed AB 2451 (Pérez)** – related to the extension of the statute of limitations for death benefits for firefighters and peace officers was vetoed by the Governor on September 30, 2012.
- **County-supported SB 951 (Hernandez)** – related to essential health benefits provided under the Federal Affordable Care Act was signed by the Governor on September 30, 2012.

Legislation of County Interest

- **AB 345 (Torres)** – related to reforms to the laws governing the use of Low and Moderate Income Housing Fund monies was vetoed by the Governor on September 29, 2012.
 - **AB 1712 (Beall)** – related to extended Foster Care and the Kinship Guardian Assistance Program was signed by the Governor on September 30, 2012.
 - **SB 1156 (Steinberg)** – related to the creation of Sustainable Communities Investment Authorities by certain public agencies to carry out the Community Redevelopment Law using tax increment funds from consenting taxing entities was vetoed by the Governor on September 29, 2012.
 - **SB 1462 (Leno)** – related to the release of terminally ill and medically incapacitated jail inmates was signed by the Governor on September 30, 2012.
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Status of County-Advocacy Legislation

County-supported AB 1453 (Monning), which would, within the Health and Safety Code, designate the Kaiser Small Group HMO as California's benchmark plan to serve as the essential health benefits standard under the Federal Affordable Care Act, and specify that this measure would be effective only if SB 951 (Hernandez) is also enacted, was signed by the Governor on September 30, 2012. This measure becomes effective January 1, 2014.

County-support-if-amended AB 1585 (Pérez), which clarifies that specific provisions of the Community Redevelopment Law relating to the Low and Moderate Income Housing Fund apply for purposes of funding administrative and planning costs associated with the implementation of former redevelopment agencies' housing functions, was signed by the Governor on September 29, 2012. This measure becomes effective January 1, 2013.

The final version of the bill did not include the County's requested amendment which would have re-instated a provision to allow local housing authorities to decline the assignment of a former redevelopment agency's housing functions.

County-supported AB 1907 (Lowenthal), which would reduce the timeframe for jail inmates to receive psychiatric medications to improve their mental health, was signed by the Governor on September 30, 2012. This measure becomes effective January 1, 2013.

County-opposed AB 1968 (Wieckowski), which would have required a chief probation officer in a county that does not arm its probation officers or does not have an arming policy in place by January 1, 2013, to develop a policy for arming probation officers who supervise high-risk probationers by June 30, 2013 and to implement that arming policy by December 31, 2013, was vetoed by the Governor on September 30, 2012.

In his veto message, the Governor indicated he was sympathetic to what the proponents are trying to accomplish; however, he noted that local circumstances differ and that chief probation officers are closer and better situated to make the decision to arm probation officers.

County-supported AB 2026 (Fuentes), which would extend: 1) the requirement that the California Film Commission annually issue \$100.0 million in tax credits to qualifying motion picture productions as specified, through FY 2016-17; and 2) the limitation on the aggregate amount of credits that may be allocated through FY 2016-17, was signed

by the Governor on September 30, 2012. AB 2026 is an urgency measure and becomes effective immediately.

County-supported AB 2109 (Pan), which would change the process that allows parents or guardians to claim an exemption from the immunization requirements for school-age children to require that a form prescribed by the California Department of Public Health (CDPH) to accompany the letter or affidavit documenting which immunizations have not been given on the basis that they are contrary to his or her personal beliefs, was signed by the Governor on September 30, 2012. This measure becomes effective January 1, 2014.

In his signing message, the Governor directed the CDPH to oversee the policy so parents are not overly burdened and to allow for a separate exemption on the form for persons whose religious beliefs preclude vaccinations.

County-opposed AB 2298 (Solorio), which would prohibit an insurer from increasing automobile insurance premiums for a peace officer, member of the California Highway Patrol or firefighter involved in an accident while operating his/her private motor vehicle while on-duty and requires the employer to assume all liability even when there is a dispute as to whether the employer had directed the use of the employee's personal vehicle, was signed by the Governor on September 30, 2012. This measure becomes effective January 1, 2013.

County-opposed AB 2451 (Pérez), which would authorize a claim for death benefits for firefighters or peace officers whose death is caused by certain presumptive-type illnesses one year from date of death and within 480 weeks from the date of injury, was vetoed by the Governor on September 30, 2012.

In his veto message, the Governor noted that AB 2451 seeks to redress an issue whose scope requires further study and reconsideration. He indicated that until then, he cannot expose local governments to the serious financial risk this measure would pose.

County-supported SB 951 (Hernandez), which would, within the Insurance Code, designate the Kaiser Small Group HMO as California's benchmark plan to serve as the essential health benefits standard under the Federal Affordable Care Act, and specify that this measure would be effective only if AB 1453 (Monning) is also enacted, was signed by the Governor on September 30, 2012. This measure becomes effective January 1, 2014.

Legislation of County Interest

AB 345 (Torres), which would have enacted a comprehensive set of reforms to the laws governing the use of low and moderate income housing funds, was vetoed by the Governor on September 29, 2012.

In his veto message, the Governor noted that the intent of AB 845 was to govern use of the 20 percent set aside for low and moderate income housing established pursuant to SB 1156. Given his veto of SB 1156, the Governor also vetoed AB 845.

AB 1712 (Beall), which is the vehicle for clean-up legislation to County-support-in-concept AB 12 (Chapter 559, Statutes of 2010) and AB 212 (Chapter 459, Statutes of 2011), which extended Foster Care and Kinship Guardian Assistance Program benefits to eligible youth up to 21 years of age, was signed by the Governor on September 30, 2012. This measure becomes effective January 1, 2013.

The enacted measure would, among other provisions: 1) conform to the Child Welfare Realignment Budget Trailer Bill (SB 1013, Chapter 35, Statutes of 2012); 2) define when the court may transfer jurisdiction of a non-minor dependent (NMD) who has had a continuous physical presence in the county of residence for 12 months as a NMD; 3) describe the circumstances when the continuation of family reunification services to a NMD may be appropriate; 4) clarify when a court-appointed special counsel may be appointed for a NMD; and 5) require a separate court file for a NMD case and the discretion of the county on whether to conduct criminal record checks of NMD's upon re-entry to Extended Foster Care, which allows for the extension of foster care benefits to 21 years of age.

The Department of Children and Family Services (DCFS) indicates there are no programmatic or fiscal concerns with the enacted version of the bill. However, County Counsel continues to have concerns, including the requirement for a separate court file for a NMD case. This office, County Counsel and DCFS are working with the bill's sponsors to address these concerns in the 2013-14 Legislative Session in subsequent clean-up legislation.

SB 1156 (Steinberg), which would have: 1) authorized certain public entities to form a Sustainable Communities Investment Authority (Authority) to carry out the Community Redevelopment Law; and 2) allowed the Authority to include a provision for the receipt of tax increment funds provided certain requirements are met, was vetoed by the Governor on September 29, 2012.

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In his veto message, the Governor indicated once the winding down of redevelopment agencies is completed, it will be a better time for the State to consider programs such as the one proposed in SB 1156. The Governor also noted his commitment to working with the Legislature and other stakeholders to revitalize communities.

SB 1462 (Leno), which would: 1) authorize a sheriff to release an inmate from a jail after conferring with a physician if the sheriff determines the inmate would not reasonably pose a threat to public safety and the inmate is deemed to have a life expectancy of six months or less; 2) authorize a sheriff to request the court to grant medical probation or resentence an inmate to medical probation in lieu of jail time if the inmate is physically incapacitated with a medical condition that renders the inmate permanently unable to perform activities of basic daily living, resulting in the 24-hour care, or if the person requires acute long-term inpatient rehabilitation services; and 3) require a county that implements such a program to cover the non-Federal share of the inmate's or probationer's Medi-Cal costs, was signed by the Governor on September 30, 2012.

We will continue to keep you advised.

WTF:RA
MR:VE:IGEA:lm

c: All Department Heads
Legislative Strategist
Local 721
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participants